

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLYDE LEWIS,
Plaintiff,
v.
DANIEL OMLER, et al.,
Defendants.

Case No.: 2:24-cv-01531-RFB-DJA

ORDER

DANIEL OMLER, et al.,

9 On August 20, 2024, pro se plaintiff Clyde Lewis, an inmate in the custody of the
10 Nevada Department of Corrections, submitted a civil-rights complaint under 42 U.S.C.
11 § 1983 and applied to proceed *in forma pauperis* (“IFP”). (ECF Nos. 1-1, 1). Plaintiff’s IFP
12 application is incomplete because he failed to include an inmate trust fund account
13 statement for the previous six-month period with it. See ECF No. 1. The Court will grant
14 Plaintiff an extension of time to either complete his IFP application by filing his missing
15 account statement or pay the full \$405 filing fee.

16 This Court must collect filing fees from parties initiating civil actions. 28 U.S.C.
17 § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which
18 includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any
19 person who is unable to prepay the fees in a civil case may apply to the court for leave to
20 proceed *in forma pauperis*.” Nev. LSR 1-1. For an inmate to apply for *in forma pauperis*
21 status, the inmate must submit **all three** of the following documents to the Court: (1) a
22 completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3
23 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a
24 completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is
25 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
26 **inmate’s prison or jail trust fund account statement for the previous six-month**
27 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. LSR 1-2. *In forma pauperis* status does not

1 relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate
2 can pay the fee in installments. See 28 U.S.C. § 1915(b).

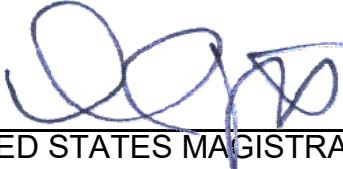
3 **I. CONCLUSION**

4 It is therefore ordered that Plaintiff has **until October 25, 2024**, to either pay the
5 full \$405 filing fee or complete his application to proceed *in forma pauperis* by filing with
6 the Court his inmate trust fund account statement for the previous six-month period.

7 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
8 he fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
9 refile the case with the Court, under a new case number, when Plaintiff can either pay the
10 filing fee or properly apply for *in forma pauperis* status.

11 The Clerk of the Court is directed to send Plaintiff Clyde Lewis the approved form
12 application to proceed *in forma pauperis* for an inmate and instructions for the same, and
13 to retain the complaint (ECF No. 1-1) but not file it at this time.

14 DATED THIS 26th day of August 2024.

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UNITED STATES MAGISTRATE JUDGE

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